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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,                   ) CASE NO. MJ 08-455  
10    )  
11       Plaintiff,                                      )  
12    )  
13       v.    )  
14    )  
15       PAUL THOMAS JOHNSTON,                      )  
16    )  
17       Defendant.                                     )  
18    )  
19    )  
20    )

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21       Offense charged:           Wire Fraud

22       Date of Detention Hearing:   October 10, 2008

23       The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
24       based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
25       that no condition or combination of conditions which defendant can meet will reasonably assure  
26       the appearance of defendant as required.

27                   FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

28       (1)       Defendant is a citizen of England. He has resided in the Seattle area since 2003.  
29       His wife is a citizen of Singapore. They have two children. Other than his wife and children, he

01 has no ties to this District.

02       (2)     Defendant is accused of devising a sophisticated financial scheme to commit wire  
03 fraud, allegedly involving very substantial funds. Despite being paid a substantial salary and  
04 bonuses since 2003, defendant reports essentially no net worth. The AUSA proffers a wire  
05 transfer by the defendant to company accounts in Malaysia and Singapore in the approximate  
06 amount of \$9.6 million. The disposition of the funds is currently being investigated by the  
07 company and has not yet been verified.

08       (3)     Defendant poses a risk of nonappearance due to limited ties to the United States  
09 or this District, the loss of employment, income and perhaps his residence, close familial ties to  
10 other countries, and the possibility of secreted assets that might be available to the defendant to  
11 effectuate relocation to another country.

12       (4)     There does not appear to be any condition or combination of conditions that will  
13 reasonably assure the defendant's appearance at future Court hearings.

14 It is therefore ORDERED:

15       (1)     Defendant shall be detained pending trial and committed to the custody of the  
16                      Attorney General for confinement in a correction facility separate, to the extent  
17                      practicable, from persons awaiting or serving sentences or being held in custody  
18                      pending appeal;

19       (2)     Defendant shall be afforded reasonable opportunity for private consultation with  
20                      counsel;

21       (3)     On order of a court of the United States or on request of an attorney for the  
22                      Government, the person in charge of the corrections facility in which defendant is

01 confined shall deliver the defendant to a United States Marshal for the purpose of  
02 an appearance in connection with a court proceeding; and

- 03 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
04 counsel for the defendant, to the United States Marshal, and to the United States  
05 Pretrial Services Officer.

06 DATED this 10th day of October, 2008.

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09 Mary Alice Theiler  
10 United States Magistrate Judge  
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